

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JUDY HARWARD, et al.,

Plaintiffs,

v.

CITY OF AUSTIN,

Defendant.

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1:21-CV-95-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Defendant City of Austin's Motion to Dismiss, (Dkt. 86). (R. & R., Dkt. 94). Plaintiffs timely filed objections to the report and recommendation. (Objs., Dkt. 99).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiffs timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiffs' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 86), is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's motion to dismiss, (Dkt. 86), is **GRANTED**.

IT IS FINALLY ORDERED Plaintiffs' claims are **DIMISSED** without prejudice. The Court will enter final judgment by separate order.

SIGNED on February 7, 2025.

A handwritten signature in blue ink, appearing to read "R. Pitman", with a horizontal line extending to the right.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE